

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HECTOR PENA and PABLO RAMOS,

Plaintiffs,
-against-

07 CV 8427 (MDF) (LAP)

CLERK'S CERTIFICATE

DALIZA PHARMACY, INC. and LUIS A. PEREZ,
SR.,

Defendants.

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I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on September 28, 2007 with the filing of a summons and complaint, a copy of the summons and complaint was served, pursuant to Fed. R. Civ. P. 4(e)(1), on defendant Daliza Pharmacy, Inc. by delivering it to the corporation's general agent at 3431 Broadway, New York, New York 10031 as provided in New York CPLR § 311(a)(1); and on defendant Luis A. Perez by delivering it to a person of suitable age and discretion at the defendant's dwelling house at 453 North Greenbush Road, Blauvelt, New York 10913 and mailing a copy of it to the defendant in accordance with the requirements of New York CPLR § 308(2), and proof of such service as to each defendant thereof was filed on October 22, 2007.

I further certify that the docket entries indicate that the defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendant is hereby noted.

Dated: New York, New York

Feb 27, 2008

J. MICHAEL MCMAHON
Clerk of the Court

By: *[Signature]*
Deputy Clerk